

compliance filing in response to earlier Commission orders in this proceeding.

Comment date: January 26, 1998, in accordance with Standard Paragraph E at the end of this notice.

28. United States Department of Energy

[Docket No. NJ98-1-000]

Take notice that on December 31, 1997, the United States Department of Energy, Western Area Power Administration (Western), submits its open-access transmission service tariff terms and conditions with the Federal Energy Regulatory Commission (Commission). In accordance with Rule 207 of the Commission's Rules of Practice and Procedure, 18 CFR 385.207, and 18 CFR 35.28(e), Western is requesting a declaratory order that its voluntary transmission tariff meets or exceeds the requirements of the Commission's Order No. 888 (Final Rule on Open Access and Stranded Costs). In addition, Western is seeking a waiver from requirements of the Commission's Order No. 888, which would require Western to act contrary to the laws which govern its activities. Western is also seeking an exemption in lieu of paying a filing fee applicable to petitions for declaratory orders because it is an agency of the United States Department of Energy, and therefore exempt from filing fees, as provided in 18 CFR 381.012(a), 381.108(a), and 381.302(c).

Comment date: January 30, 1998, in accordance with Standard Paragraph E at the end of this notice.

29. United States Department of Energy, Southwestern Power, Administration Transmission Service Terms and Conditions

[Docket No. NJ98-2-000]

Take notice that the Southwestern Power Administration (Southwestern), on December 31, 1997, tendered for filing for Commission review of Southwestern's open access transmission terms and conditions. These transmission terms and conditions were the subject of Southwestern administrative proceedings that preceded adoption of such terms and conditions.

Southwestern tendered for filing its open access transmission tariff terms and conditions with a Petition for Declaratory Order that said terms and conditions meet or exceed the Commission's open access policies, and are consistent with the reciprocity compliance principles of the Commission's final rule on non-discriminatory open access transmission

service. Southwestern has developed rates related to such terms and conditions, which are in the approval process, and are expected to be implemented January 1, 1998. Notice of such rates will be published in the **Federal Register** upon their receiving interim approval. Subsequent to interim approval, Southwestern's wholesale power and transmission rates will be filed with the Commission with a request for confirmation and approval on a final basis.

Comment date: January 30, 1998, in accordance with Standard Paragraph E at the end of this notice.

30. Colstrip Energy, Limited Partnership

[Docket No. QF84-377-009]

On December 18, 1997, Colstrip Energy, Limited Partnership (Applicant), 1087 W. River Street, Suite 200, Boise, Idaho 83702 submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to Section 292.207(b) of the Commission's Regulations. No determination has been made that the submittal constitutes a complete filing.

According to the applicant, the small power production facility, is located in Rosebud County, Montana. The Commission most recently recertified the facility in *Colstrip Energy Limited Partnership*, 74 FERC ¶ 62,072 (1996). The instant application for recertification is to reflect changes in the upstream ownership of the facility and in the fuel supply for the facility.

Comment date: 15 days after the date of publication of this notice in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 888 First Street, N.E., Washington, D.C. 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 18 CFR 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding.

Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the

Commission and are available for public inspection.

Linwood A. Watson, Jr.,

Acting Secretary.

[FR Doc. 98-1021 Filed 1-14-98; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Conduit Exemption

January 9, 1998.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Application:* Conduit Exemption (Tendered Notice).

b. *Project No.:* 11610-000.

c. *Date filed:* November 7, 1997.

d. *Applicant:* Gary R. Hobbs.

e. *Name of Project:* Cherry Grove Project.

f. *Location:* At the Crab Creek Canyon, in Utah County, Utah.

g. *Filed Pursuant to:* Federal Power Act 16 U.S.C. §§ 791(a)-825(r).

h. *Applicant Contact:* Gary R. Hobbs, H.C. 13, Box 520, Fairview, UT 84629, (801) 873-3343.

i. *FERC Contact:* Robert W. Bell (202) 219-2806.

j. *Description of Project:* The proposed project consists of: (1) A powerhouse that would be built on the City of Spanish Fork's 14-inch-diameter, ductile iron pipeline, with one generating unit having an installed capacity of 224-kW. The applicant would use all the power generated for a proposed housing development. The average annual generation would be 1,726,000 kWh.

k. Under section 4.32(b)(7) of the Commission's regulations (18 CFR), if any resource agency, Indian Tribe, or person believes that the applicant should conduct an additional scientific study to form an adequate factual basis for a complete analysis of the application on its merits, they must file a request for the study with the Commission, not later than 60 days after the date of this notice, and must serve a copy of the request on the applicant.

Linwood A. Watson, Jr.

Acting Secretary.

[FR Doc. 98-985 Filed 1-14-98; 8:45 am]

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